

Message Text

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PAGE 01 STATE 062910

43

ORIGIN SS-25

INFO OCT-01 ADP-00 /026 R

DRAFTED BY AF/ N: JJBLAKE: RJP

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APPROVED BY P: AMBASSADOR PORTER

S/ S - MR. MILLER

AF: DDNEWSOM

NEA (SUBSTANCE) MR. SISCO

INR (SUBSTANCE) MR. KLINE

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P 051528 Z APR 73

FM SECSTATE WASHDC

TO USINT ALGIERS PRIORITY

AMEMBASSY RABAT

AMEMBASSY TUNIS

INFO AMEMBASSY TRIPOLI PRIORITY

USMISSION USUN NEW YORK

AMEMBASSY ROME

AMEMBASSY ATHENS

S E C R E T STATE 062910

EXDIS

E. O. 11652: GDS

TAGS: PFOR LY

SUBJECT: LIBYA AIR SPACE PROBLEM

1. IN CONSIDERING STEPS USG MIGHT APPROPRIATELY TAKE FOLLOWING ATTEMPTED DOWNING OF UNARMED US MILITARY AIRCRAFT BY LARG ON MARCH 21, WE HAVE CONCLUDED RENEWED APPROACH SHOULD BE MADE TO LIBYAN MINISTRY OF FOREIGN AFFAIRS. PURPOSE OF APPROACH WOULD BE TO SATISFY OURSELVES THAT LARG FULLY UNDERSTANDS DISTINCTION IN INTERNATIONAL LAW BETWEEN " RESTRICTED AREA", WHICH THEY HAVE DEFINED AS 100 NAUTICAL MILES FROM TRIPOLI INTERNATIONAL AIRPORT, AND " DANGER AREA". DIFFERENCE BETWEEN THESE CONCEPTS IS SET FORTH STATE 210803 WHICH IS BEING RE-
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PAGE 02 STATE 062910

PEATED TO YOU. NEW APPROACH BY EMBASSY TRIPOLI WOULD BE
IN FORM OF NOTE REITERATING POINTS ALREADY MADE ORALLY
BY EMBASSY BUT PERHAPS NOT FULLY UNDERSTOOD.

2. DEPARTMENT BELIEVES THERE COULD BE SOME ADVANTAGE IF
YOUR RESPECTIVE HOST GOVERNMENTS WERE ALSO ACQUAINTED
WITH LEGAL BASIS FOR US PROTEST AGAINST LARG ACTION OF
MARCH 21. ACCORDINGLY, UNLESS YOU PERCEIVE OVERRIDING
OBJECTION, YOU SHOULD BRIEF APPROPRIATE ELEMENT OF HOST
GOVERNMENT OF US POSITION, DRAWING ON STATE 210803. IF
QUERIED RE PURPOSE AND TIMING OF YOUR BRIEFING, WHICH WE
ASSUME WOULD BE AT MIDDLE LEVEL, YOU SHOULD INDICATE IT
BASED ON OUR DESIRE ACQUAINT GOVERNMENTS IN AREA OF
INCIDENT WITH US POSITION WHICH WE BELIEVE HAS SOUND
BASIS IN INTERNATIONAL LAW AND PRACTICE. ROGERS

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*** Current Handling Restrictions *** EXDIS

*** Current Classification *** SECRET

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ATHENS
RABAT
ROME
TRIPOLI
TUNIS
USUN NEW YORK

Type: TE

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